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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

21

Application Number

10/663,039

Filing Date

September 15, 2003

First Named Inventor

Issak Volynsky

Art Unit

3712

Examiner Name

Not yet assigned

Attorney Docket Number

MAT 3H2

### ENCLOSURES (Check all that apply)

|   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
| <input type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input type="checkbox"/> Amendment/Reply                                  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                      | <input type="checkbox"/> Terminal Disclaimer                              | Form PTO-1449, 11 references.   |
| <input checked="" type="checkbox"/> Information Disclosure Statement      | <input type="checkbox"/> Request for Refund                               |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input type="checkbox"/> CD, Number of CD(s) _____                        |   |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application   | <input type="checkbox"/> Landscape Table on CD                            |   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |
| <div>Remarks</div>  |   |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                        |          |        |
|--------------|------------------------|----------|--------|
| Firm Name    | Kolisch Hartwell, P.C. |          |        |
| Signature    |                        |          |        |
| Printed name | Charles H. DeVoe       |          |        |
| Date         | February 16, 2005      | Reg. No. | 37,305 |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

|                       |                      |      |                   |
|-----------------------|----------------------|------|-------------------|
| Signature             |                      |      |                   |
| Typed or printed name | Suzanne Lukas-Werner | Date | February 16, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of:

ISSAK VOLYNSKY

Dated: February 16, 2005

Serial No. : 10/663,039

Our File: MAT 3H2

Filing Date : September 15, 2003

Group Art Unit: 3712

For : HIGH-VOLUME INSERTS FOR FLEXIBLE DOLLS

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98**

Applicant is submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicant respectfully requests that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

## **CONTENT OF DISCLOSURE**

This Information Disclosure Statement includes (1) one page of PTO-1449 forms, and (2) a legible copy of each foreign and non-patent reference, if any, listed on the form(s). However, because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

## **FOREIGN-LANGUAGE REFERENCES**

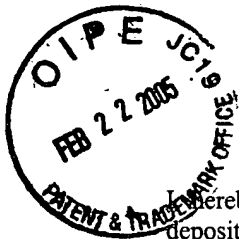
A concise explanation of the relevance of each listed reference not in the English language is attached to each reference.

## **TIMING OF DISCLOSURE / FEE INFORMATION**

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Therefore, in accordance with 37 C.F.R. §§ 1.97(b)(3), or (b)(4), no fee is required.

The subject matter of each of the photographs disclosed herein was, or is believed to have been, commercially available prior to September 15, 2003.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on February 16, 2005.

Suzanne Lukas-Werner

Respectfully submitted,

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SHEET 1 OF 1

|   |  |                                   |                 |                                  |              |                         |   |
|---|--|-----------------------------------|-----------------|----------------------------------|--------------|-------------------------|---|
| FORM PTO-1449<br><br>INFORMATION DISCLOSURE<br>CITATION IN AN APPLICATION |  | DOCKET NUMBER<br>MAT 3H2          |                 | APPLICATION NUMBER<br>10/663,039 |              |                         |   |
|   |  | APPLICANT(S)<br>Issak Volynsky    |                 |                                  |              |                         |   |
|   |  | FILING DATE<br>September 15, 2003 |                 | GROUP ART UNIT<br>3712           |              |                         |   |
| U.S. PATENT DOCUMENTS   |  |                                   |                 |                                  |              |                         |   |
| EXAMINER<br>INITIAL   | DOCUMENT<br>NUMBER   | DATE                              | NAME            | CLASS                            | SUB<br>CLASS | FIL. DATE<br>IF APPROP. |   |
|   | 6,126,509  | 10/3/2000                         | Berman          |                                  |              |                         |   |
|   | 3,394,490  | 7/30/1968                         | Baxter          |                                  |              |                         |   |
|   | 2,174,932  | 10/3/1939                         | Weis et al.     |                                  |              |                         |   |
|   | 2,129,421  | 9/6/1938                          | Hales           |                                  |              |                         |   |
| FOREIGN PATENT DOCUMENTS  |  |                                   |                 |                                  |              |                         |   |
|   | DOCUMENT<br>NUMBER   | DATE                              | COUNTRY         | CLASS                            | SUB<br>CLASS | TRANSLATION<br>YES NO   |   |
|   | JP61169217   | 7/30/1986                         | Japan           |                                  |              |                         | X |
| OTHER DOCUMENTS   |  |                                   |                 |                                  |              |                         |   |
|   | Photograph of "Starting Lineup" Shaquille O'Neil action figure in packaging.               |                                   |                 |                                  |              |                         |   |
|   | Photograph of the dissected parts of "Starting Lineup" Shaquille O'Neil action figure.     |                                   |                 |                                  |              |                         |   |
|   | Photograph of Max Steel "Psycho" action figure in packaging.                               |                                   |                 |                                  |              |                         |   |
|   | Photograph of the dissected parts of Max Steel "Psycho" action figure.                     |                                   |                 |                                  |              |                         |   |
|   | Photograph of right leg and partial torso of Max Steel "Psycho" action figure.             |                                   |                 |                                  |              |                         |   |
|   | Photograph with cross-sectional view of leg of Max Steel "Psycho" action figure.           |                                   |                 |                                  |              |                         |   |
|   | Photograph with cross-sectional view of leg of Max Steel "Psycho" action figure.           |                                   |                 |                                  |              |                         |   |
|   | Photograph of the "Action Man" action figure packaging.                                    |                                   |                 |                                  |              |                         |   |
|   | Photograph of the dissected parts of the "Action Man" action figure.                       |                                   |                 |                                  |              |                         |   |
|   | Photograph of the leg insert used in the GI Joe Action Soldier 1994 Commemorative Edition. |                                   |                 |                                  |              |                         |   |
| EXAMINER  |  |                                   | DATE CONSIDERED |                                  |              |                         |   |